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8 UNITED STATES DISTRICT COURT  
9 CENTRAL DISTRICT OF CALIFORNIA  
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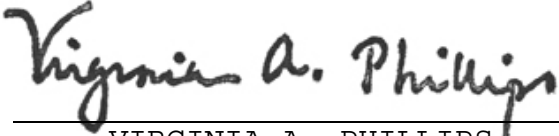
12 ANGELO FRANK MILLICAN, ) No. SACV 10-293-VAP(CW)  
13 )  
14 Petitioner, ) ORDER ACCEPTING REPORT AND  
15 ) RECOMMENDATION OF UNITED STATES  
16 v. ) MAGISTRATE JUDGE  
17 JONATHAN M. GARCIA (Warden), )  
18 )  
19 Respondent. )  
20 \_\_\_\_\_ )  
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25 Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition,  
26 records on file, and the Report and Recommendation of the United  
27 States Magistrate Judge. No written Objections to the Report have  
28 been filed.<sup>1</sup> The court accepts the findings and recommendation of the  
Magistrate Judge.

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26 <sup>1</sup> On June 9, 2011, Petitioner filed a "Notice of Opposition"  
27 (which he dated June 5, 2011, before the filing of the Report and  
28 Recommendation). Petitioner did not file any other document  
thereafter. Even if the Notice is construed as stating Petitioner's  
objections, and subjected to de novo review, it does not set forth any  
persuasive reasons for rejecting any part of the Report and  
Recommendation.

1       **IT IS THEREFORE ORDERED:** (1) that Respondent's second motion to  
2 dismiss (docket no. 19, filed February 9, 2011) be granted; and (2)  
3 that judgment be entered dismissing the petition, without prejudice,  
4 for complete failure to exhaust state court remedies.

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6 DATED: June 30, 2011

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8 VIRGINIA A. PHILLIPS  
9 United States District Judge